

Message Text

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EO 11652: N/A

TAGS: CI, PINT, SHUM

SUBJECT: LEADING LAWYER NOT TO BE TRIED

REF: SANTIAGO 6632

1. REFTEL REPORTED PRE-TRIAL INVESTIGATION BY MILITARY PROSECUTOR OF LEADING CHILEAN LAWYER, EUGENIO VELASCO LETELIER, FOR STRONG CRITICISMS WITHIN BAR ASSOCIATION OF GOC HUMAN RIGHTS PRACTICES.

2. ACCORDING TO DEC 3 SANTIAGO PRESS, VELASCO WILL NOT BE BROUGHT TO TRIAL, AT LEAST FOR THE PRESENT. INTERIOR MINISTER REQUESTED MILITARY COURT SYSTEM TO PROSECUTE VELASCO UNDER LAW OF INTERNAL SECURITY. VELASCO REQUESTED CIVIL APPEALS COURT FOR DECISION ON JURISDICTION OF MILITARY COURT; COURT DECIDED CASE SHOULD COME UNDER PENAL CODE AND CIVIL SYSTEM. MILITARY PROSECTUR THEN DECLARED HIS LACK OF JURISDICTION.

3. CIVIL PROSECUTOR HAS NOW RULED THAT THERE IS NOT ENOUGH EVIDENCE, AT THE MOMENT, TO INDICT VELASCO ON CHARGE OF INSULTING THE EXECUTIVE POWER OF GOVERNMENT.

4. COMMENT. UNLESS BETTER EVIDENCE IS PRESENTED, THUS APPEARS THAT VELASCO REMAINS FREE AND IS VINDICTATED.

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5. THIS IS ONE OF SEVERAL CURRENT CASES IN WHICH CIVIL COURT
SYSTEM SEEMS TO BE ACTING WITH UNACCUSTOMED ASSERTIVENESS
TOWARD ITS MILITARY COLLEAGUES AND THE INTERIOR MINISTRY. WE
WILL BE REPORTING ON OTHERS AS THEY MATURE.

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